



Senate

General Assembly

File No. 567

January Session, 2017

Substitute Senate Bill No. 977

Senate, April 12, 2017

The Committee on Planning and Development reported through SEN. CASSANO, S. of the 4th Dist. and SEN. LOGAN of the 17th Dist., Chairpersons of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING ACCESS TO ORIGINAL BIRTH RECORDS BY ADULT ADOPTED PERSONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 7-53 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2017*):

4 (c) Upon request, the department shall issue an uncertified copy of
5 an original certificate of birth to (1) an adopted person who is eighteen
6 years of age or older, [whose adoption was finalized on or after
7 October 1, 1983,] or (2) such adopted person's adult child or
8 grandchild. Such certificate shall be marked with a notation by the
9 issuer that such original certificate of birth has been superseded by a
10 replacement certificate of birth as on file. Additionally, a notice stating
11 that information related to the birth parents' preferences regarding
12 contact by such adopted person or such adopted person's adult child
13 or grandchild and a medical health history form completed by the

14 birth parent may be on file with the Department of Children and
15 Families shall be printed on such certificate or attached thereto.

16 Sec. 2. Section 7-53a of the general statutes is repealed and the
17 following is substituted in lieu thereof (*Effective July 1, 2017*):

18 (a) Not later than January 1, [2016] 2018, and annually thereafter
19 until January 1, [2021] 2023, the Commissioner of Public Health shall
20 submit a report, in accordance with the provisions of section 11-4a,
21 concerning the number of original birth certificates issued annually to
22 adopted persons eighteen years of age or older, [whose adoption was
23 finalized on or after October 1, 1983,] or the adult children or
24 grandchildren of adopted persons in accordance with section 7-53, as
25 amended by this act, to the joint standing committee of the General
26 Assembly having cognizance of matters relating to public health.

27 (b) Not later than January 1, [2016] 2018, and annually thereafter
28 until January 1, [2021] 2023, the Commissioner of Children and
29 Families shall submit a report, in accordance with the provisions of
30 section 11-4a, concerning the number of contact preference forms and
31 medical health history forms annually filed with the department in
32 accordance with section 17a-60a to the joint standing committee of the
33 General Assembly having cognizance of matters relating to public
34 health. The report shall include the number of birth parents that
35 selected each option described in section 17a-60a.

36 Sec. 3. Subsection (c) of section 45a-751b of the general statutes is
37 repealed and the following is substituted in lieu thereof (*Effective July*
38 *1, 2017*):

39 (c) Regardless of the date parental rights were terminated, on or
40 after July 1, [2015] 2017, the Department of Public Health shall, upon
41 request, issue an uncertified copy of an original birth certificate to an
42 adopted person eighteen years of age or older who is the subject of the
43 birth certificate, [and whose adoption was finalized on or after October
44 1, 1983,] or such adopted person's adult child or grandchild, in
45 accordance with the provisions of section 7-53, as amended by this act.

46 Sec. 4. Subsection (a) of section 45a-751c of the general statutes is
47 repealed and the following is substituted in lieu thereof (*Effective July*
48 *1, 2017*):

49 (a) On the petition of an adopted person who is eighteen years of
50 age or older, [and whose adoption was finalized prior to October 1,
51 1983,] or such adopted person's adult child or grandchild, the Probate
52 Court or the Superior Court that finalized an adoption or appointed a
53 guardian ad litem in accordance with section 45a-753 shall issue an
54 order directing the Department of Public Health to issue an uncertified
55 copy of an original birth certificate to such adopted person or such
56 adopted person's child or grandchild in accordance with subsection (b)
57 of section 7-53, as amended by this act, provided each birth parent
58 named on the original birth certificate: (1) Consents to the release of
59 identifying information in accordance with sections 45a-751 to 45a-
60 751b, inclusive, as amended by this act; (2) is deceased; or (3) a legal
61 representative or guardian ad litem consents to the release of
62 identifying information on behalf of the birth parent in accordance
63 with section 45a-753. Nothing in this section shall limit the right of an
64 adopted person eighteen years of age or older, [whose adoption was
65 finalized on or after October 1, 1983,] or such adopted person's adult
66 child or grandchild to obtain an uncertified copy of an original birth
67 certificate pursuant to section 7-53, as amended by this act.

68 Sec. 5. (NEW) (*Effective July 1, 2017*) If the Department of Public
69 Health makes a good faith effort to provide an uncertified copy of an
70 original birth certificate to an adopted person eighteen years of age or
71 older pursuant to subsection (c) of section 7-53 of the general statutes,
72 as amended by this act, but is unable to do so, such adopted person
73 may petition a court of competent jurisdiction to issue an order
74 directing the child-placing agency, as defined in section 45a-707 of the
75 general statutes, that was involved in the adoption of such person to
76 provide such person with the true and correct identifying information
77 that would have appeared on his or her original birth certificate.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2017</i>	7-53(c)
Sec. 2	<i>July 1, 2017</i>	7-53a
Sec. 3	<i>July 1, 2017</i>	45a-751b(c)
Sec. 4	<i>July 1, 2017</i>	45a-751c(a)
Sec. 5	<i>July 1, 2017</i>	New section

PD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 18 \$	FY 19 \$
Resources of the GF	GF - Potential Revenue Gain	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill, which allows individuals adopted before 10/1/83 and their adult children or grandchildren to obtain uncertified copies of the original certificate, is anticipated to result in a potential minimal revenue gain to the General Fund. There were 25 requests made to the Department of Public Health for uncertified adoptee birth certificates in 2016. Pursuant to CGS Sec. 7-74, the agency charges a fee of \$65 per uncertified copy. Revenue is deposited into the General Fund.

The Out Years

The fiscal impact identified above would continue into the future subject to the number of individuals adopted before 10/1/83 and their adult children or grandchildren that obtain uncertified copies from DPH.

OLR Bill Analysis**sSB 977*****AN ACT CONCERNING ACCESS TO ORIGINAL BIRTH RECORDS
BY ADULT ADOPTED PERSONS.*****SUMMARY**

This bill expands access to birth certificates for adopted persons and their adult children or grandchildren.

Existing law requires the Department of Public Health (DPH) to give adopted individuals age 18 or older whose adoptions were finalized on or after October 1, 1983, or their adult children or grandchildren, uncertified copies of the adoptee's original birth certificate on request. The bill requires DPH to do so regardless of the finalized adoption date. Under the bill, if DPH makes a good faith effort to provide the certificate to an eligible adoptee but is unable to do so, the adoptee may petition a court to issue an order directing the child-placing agency involved in his or her adoption to release the identifying information that would have appeared on the original birth certificate.

The bill also allows all adoptees, not just those adopted before October 1, 1983, and their adult children or grandchildren, to obtain uncertified copies of the original certificate through a court order. By law, these petitions may be filed in the probate court or Superior Court that finalized the adoption or appointed a guardian ad litem (GAL). As under existing law, if the birth parents are alive, the court can only issue such an order with their consent or, in certain circumstances, the consent of a legal representative or GAL.

Lastly, the bill extends by two years, from 2021 to 2023, the requirement that the DPH and Department of Children and Families (DCF) commissioners each report annually to the Public Health

Committee on the number of adoptee birth certificates issued by DPH and birth parent contact preference and health history forms filed with DCF (see BACKGROUND). The bill also makes conforming changes.

EFFECTIVE DATE: July 1, 2017

BACKGROUND

Adoptee Birth Certificates

In most cases, DPH seals the original birth certificate when a court notifies it that a child born in Connecticut has been adopted. It prepares a new certificate substituting the adoptive parents' names for those appearing on the original certificate (CGS § 7-53).

Contact Preference and Health History Forms

By law, a biological parent may voluntarily complete a DCF form indicating whether he or she wants to be contacted by his or her adopted adult child or the adoptee's adult children or grandchildren. When receiving a request for a contact preference form, DCF must also provide the parent with a form on which to record his or her health history information (CGS § 17a-60a).

When issuing an original birth certificate, DPH must provide a notice stating that these completed contact and health history forms may be on file with DCF.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 19 Nay 2 (03/24/2017)